

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
CBS Broadcasting Inc., et al.,

Plaintiffs,

- against -

FilmOn.com, Inc.,

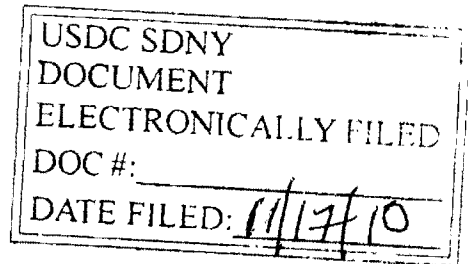
Defendant.

-----X

NAOMI REICE BUCHWALD
UNITED STATES DISTRICT JUDGE

**MEMORANDUM AND
ORDER**

10 Civ. 7532 (NRB)




The Clerk of the Court is directed to strike from the record in this case the following documents: (1) The Exhibit to "Defendant FilmOn's Opposition to Plaintiffs' Motion for Temporary Restraining Order and Preliminary Injunction," and (2) the "Reply Declaration by Christopher Scott Morrow in Support of Plaintiffs' Application for an Order to Show Cause for a Preliminary Injunction and Temporary Restraining Order."

The incorporation of memoranda of law filed in another case in lieu of briefing the precise issues raised in this litigation is unacceptable for at least three reasons. First, the use of a brief drafted by another lawyer as the content of an entire point in defendant's opposition is inconsistent with Federal Rule of Civil Procedure 11. Second, this approach is a flagrant violation of the page limits of this Court's Individual Practices. Third,

incorporation of briefs filed in another case, even if closely related, impermissibly burdens the Court by requiring it to determine which portions of the other brief are on point to the specific issue presented.

SO ORDERED.

Dated: New York, New York
November 17, 2010


NAOMI REICE BUCHWALD
UNITED STATES DISTRICT JUDGE